

Form 149

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA**

In re:

**Marc D. Kinander
Kristen H. Kinander
aka Kristen Lynn Kinander**
Debtor(s)

Bankruptcy Case No.: 18-23425-CMB
Per February 25, 2021 Proceeding
Chapter: 13
Docket No.: 57 - 44, 46
Concil. Conf.: at

**ORDER OF COURT CONFIRMING PLAN AS MODIFIED
AND SETTING DEADLINES FOR CERTAIN ACTIONS**

(1.) PLAN CONFIRMATION:

IT IS HEREBY ORDERED that upon consent of the Debtor(s), the Chapter 13 Plan dated December 23, 2020 is CONFIRMED as modified at the Plan confirmation hearing. Terms of the Plan not expressly modified by this Order remain in full force and effect. A copy of this Plan was previously mailed to you. *Only those provisions which are checked below apply to this case:*

- ☒ A. For the remainder of the Plan term, the periodic Plan payment is amended to be \$1,904.00 as of March, 2021. Debtor(s)' counsel shall file a motion to amend the income attachment order within seven (7) days of the date of this Order.
- ☐ B. The length of the Plan is increased to a total of months. This statement of duration of the Plan is an approximation. The Plan shall not be completed until the goals of the Plan have been achieved. The total length of the Plan shall not exceed sixty (60) months.
- ☐ C. Plan confirmation is on an interim basis only as a form of adequate protection. The Trustee is authorized to distribute to secured and priority creditors with percentage fees. ***A final plan conciliation conference will be held on at , in .*** If the Parties cannot resolve all disputes at the conciliation conference, a hearing will be scheduled and orally announced at the conclusion of the conference without any further written notice to any party. Parties are directed to monitor the Court's docket and read the Chapter 13 Trustee's minutes of the conciliation conference to the extent such parties desire more information regarding the outcome of the conciliation conference.
- ☐ D. Plan confirmation is subject to the resolution of all actions to determine the avoidability, priority, or extent of liens; including determination of the allowed amount of secured claims under 11 U.S.C. §506, disputes over the amount and allowance of claims entitled to priority under 11 U.S.C. §507, and all objections to claims.
- ☐ E. The allowed claims of general unsecured creditors shall be paid from available funds on a pro rata basis, which may represent an increase or decrease in the amount projected in the Plan.
- ☐ F. shall be paid monthly payments of \$ beginning with the Trustee's distribution and continuing for the duration of the plan term, to be applied by that creditor to its administrative claim, budget payments and/or security deposit. These payments shall be at the third distribution level.
- ☒ G. The claims of the following creditors shall govern as to amount, classification and rate of interest (or as otherwise noted), unless the Debtor(s) successfully objects to the claim: IRS (Cl. #2) .
- ☐ H. Additional Terms:

(2.) IT IS FURTHER ORDERED THAT THE FOLLOWING DEADLINES ARE ESTABLISHED:

A. Objections to the Plan. Pursuant to *Fed.R.Bankr.P. 2002(b)*, this Order shall not become final for a period of twenty-eight (28) days. Any party in interest with an objection to any provision of this Confirmation Order must file a written objection within that twenty-eight (28) day period. Failure to timely object shall be deemed a waiver of all objections and an acceptance of the provisions of this confirmed Plan. The Trustee may disburse funds pursuant to this confirmation order upon its entry.

B. Applications to retain brokers, sales agents, or other professionals. If the Plan contemplates sales of assets or litigation proceeds as a source of funding, Debtor(s) shall file motion(s) to employ the necessary professionals within thirty (30) days hereof.

C. Review of Claims Docket and Objections to Claims. Pursuant to *W.PA.LBR 3021-1(c)(2)*, the Debtor or Debtor's attorney, if represented, shall review the proofs of claim filed and shall file objections to any disputed claims within ninety (90) days after the claims bar date or, for late filed or amended claims, within ninety (90) days after they are filed and served. Absent an objection, the proof of claim will govern as to the classification and amount of the claim. Objections filed after the ninety (90) days specified herein shall be deemed untimely.

D. Motions or Complaints Pursuant to §§506, 507 or 522. All actions to determine the priority, avoidability, or extent of liens, all actions pursuant to *11 U.S.C. §§506, 507 and 522* shall be filed within ninety (90) days after the claims bar date.

E. Filing Amended Plans. Within fourteen (14) days after the Bankruptcy Court resolves the priority, avoidability, or extent of a lien, or any objection to claim, the Debtor(s) shall file an amended Plan to provide for the allowed amount of the claim if the allowed amount differs from the amount stated in the plan. Debtor(s) shall also file an amended Plan within thirty (30) days after the claims bar date(s) in the event that no objection is filed and the claim(s) as filed causes the Plan to be underfunded.

(3.) ***IT IS FURTHER ORDERED THAT:***

A. After the claims objection deadline, the Plan shall be deemed amended to conform to the claims filed or otherwise allowed. If the Plan expressly modified the terms of payment to any creditor pursuant to *11 U.S.C. §1322(b)(2)*, nothing in this Order shall be construed to change the payment terms established in the Plan.

B. Any creditor who files or amends a proof of claim shall serve a copy on the Debtor(s) or counsel for the Debtor(s).

C. Any creditor whose payment changes due to variable interest rates, change in escrow, or change in monthly payments, shall notify the Trustee, Debtor(s)' counsel and Debtor(s) at least twenty-one (21) days prior to the change taking effect.

D. Debtor's counsel must file a fee application in accordance with *W.PA.LBR 2016-1* before attorney fees in excess of the "no look" provision (including retainer) will be allowed or paid.

E. The Trustee shall file a *Certificate of Default and Request for Dismissal* of the case in the event of a material Plan default. If the default involves failure to make a plan payment the case will result in dismissal without further hearing upon filing and service of an *Affidavit of Default* by the Trustee. The Trustee is not precluded from raising pre-confirmation defaults in any subsequent motion to dismiss.

F. In the event that any order is entered in this case granting relief from the automatic stay to a secured creditor, then the Trustee shall make no further disbursements to any creditor on account of any ***secured claim*** that is secured by the subject property, unless directed otherwise by further Order of Court.


Carlota M. Böhm, Judge
United States Bankruptcy Court

Dated: March 2, 2021

cc: All Parties in Interest to be served by Clerk in seven (7) days

In re:
Marc D. Kinander
Kristen H. Kinander
Debtors

Case No. 18-23425-CMB
Chapter 13

CERTIFICATE OF NOTICE

District/off: 0315-2
Date Rcvd: Mar 02, 2021

User: dric
Form ID: 149

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Total Noticed: 38

The following symbols are used throughout this certificate:

Symbol	Definition
+	Addresses marked '+' were corrected by inserting the ZIP, adding the last four digits to complete the zip +4, or replacing an incorrect ZIP. USPS regulations require that automation-compatible mail display the correct ZIP.
++	Addresses marked '++' were redirected to the recipient's preferred mailing address pursuant to 11 U.S.C. 342(f)/Fed.R.Bank.P.2002(g)(4).
#	Addresses marked '#' were identified by the USPS National Change of Address system as requiring an update. While the notice was still deliverable, the notice recipient was advised to update its address with the court immediately.

Notice by first class mail was sent to the following persons/entities by the Bankruptcy Noticing Center on Mar 04, 2021:

Recip ID	Recipient Name and Address
db/jdb	#+ Marc D. Kinander, Kristen H. Kinander, 2982 Kestner Avenue, Pittsburgh, PA 15227-2418
cr	+ Peoples Natural Gas Company LLC, c/o S. James Wallace, P.C., 845 N. Lincoln Ave., Pittsburgh, PA 15233-1828
14906473	+ ARM Inc, PO Box 277690, Hollywood, FL 33027-7690
14906472	+ Allegheny Health Network, 565 Coal Valley Road, Clairton, PA 15025-3703
14906474	+ Bay Area Credit Service, PO Box 467600, Atlanta, GA 31146-7600
14906480	+ First National Bank of Pennsylvania, 4140 E. State Street, Hermitage, PA 16148-3401
14906481	+ Foundation Radiology, PO Box 1198, Somerset, PA 15501-0336
14906485	+ Jefferson Hills Surgical, 1200 Brooks Lane Suite 170, Jefferson Hills, PA 15025-3759
14906486	Jefferson Hospital, PO Box 3475, Toledo, OH 43607-0475
14906488	+ Mohela, PO Box 105347, Atlanta, GA 30348-5347
14906492	PNC Bank, PO Box 6534, Carol Stream, IL 60197-6534
14906493	South Pittsburgh Anesthesia, 1699 Washington Road, Suite 307, Pittsburgh, PA 15228-1629
14910233	+ US Dept of Education/MOHELA, 633 Spirit Dr, Chesterfield, Mo 63005-1243
14906494	+ WFFNATBank, PO Box 29482, Phoenix, AZ 85038-9482
14928981	Wells Fargo Bank, N.A., PO Box 10438, MAC F8235-02F, Des Moines, IA 50306-0438

TOTAL: 15

Notice by electronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center.

Electronic transmission includes sending notices via email (Email/text and Email/PDF), and electronic data interchange (EDI). Electronic transmission is in Eastern Standard Time.

Recip ID	Notice Type: Email Address	Date/Time	Recipient Name and Address
14940558	+ Email/Text: g20956@att.com	Mar 03 2021 02:32:00	AT&T Mobility II LLC, %AT&T SERVICES INC., KAREN A. CAVAGNARO PARALEGAL, ONE AT&T WAY, SUITE 3A104, BEDMINSTER, NJ. 07921-2693
14906475	+ Email/PDF: AIS.cocard.ebn@americaninfosource.com	Mar 03 2021 02:37:35	Capital One, PO Box 30285, Salt Lake City, UT 84130-0285
14934191	Email/PDF: AIS.cocard.ebn@americaninfosource.com	Mar 03 2021 02:37:35	Capital One Bank (USA), N.A., PO Box 71083, Charlotte, NC 28272-1083
14906476	+ Email/PDF: gecsed@recoverycorp.com	Mar 03 2021 02:37:33	Care Credit/Synchrony Bank, PO Box 960061, Orlando, FL 32896-0061
14906478	+ Email/Text: mediamanagers@clientservices.com	Mar 03 2021 02:31:00	Client Services, 3451 Harry S. Truman Blvd, Saint Charles, MO 63301-9816
14906479	Email/PDF: DellBKNotifications@resurgent.com	Mar 03 2021 02:41:29	Dell, PO Box 6403, Carol Stream, IL 60197
14942689	+ Email/Text: kburkley@bernsteinlaw.com	Mar 03 2021 02:32:00	Duquesne Light Company, c/o Bernstein-Burkley, P.C., 707 Grant St., Suite 2200, Gulf Tower, Pittsburgh, PA 15219-1945
14906482	Email/Text: bk@freedomfinancialnetwork.com	Mar 03 2021 02:31:00	Freedom Financial, 4940 S. Wendler Drive, Suite 210, Tempe, AZ 85282

District/off: 0315-2

User: dric

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14934566	Email/Text: bk@freedomfinancialnetwork.com	Mar 03 2021 02:31:00	Freedom Plus, Box 2340, Phoenix, AZ 85002
14906483	Email/Text: sbse.cio.bnc.mail@irs.gov	Mar 03 2021 02:31:00	Internal Revenue Service, PO Box 7346, Philadelphia, PA 19101-7346
14906477	Email/PDF: ais.chase.ebn@americaninfosource.com	Mar 03 2021 02:37:34	Chase, PO Box 6294, Carol Stream, IL 60197
15160107	Email/PDF: resurgentbknofications@resurgent.com	Mar 03 2021 02:37:38	LVNV Funding LLC, PO Box 10587, Greenville, SC 29603-0587
14906487	+ Email/Text: bk@lendingclub.com	Mar 03 2021 02:32:00	Lending Club, Department 34268, PO Box 39000, San Francisco, CA 94139-0001
14929814	Email/PDF: pa_dc_claims@navient.com	Mar 03 2021 02:37:38	NAVIENT CFC, C/O Navient Solutions, LLC., PO BOX 9640, Wilkes-Barre, PA 18773-9640
14933698	Email/PDF: pa_dc_claims@navient.com	Mar 03 2021 02:37:38	NAVIENT PC TRUST, C/O Navient Solutions, LLC., PO BOX 9640, Wilkes-Barre, PA 18773-9640
14906489	+ Email/PDF: pa_dc_claims@navient.com	Mar 03 2021 02:41:28	Navient, PO Box 9533, Wilkes Barre, PA 18773-9533
14945804	Email/PDF: pa_dc_claims@navient.com	Mar 03 2021 02:37:38	Navient Solutions, LLC on behalf of, Department of Education Loan Services, PO Box 9635, Wilkes Barre, PA 18773-9635
15318942	Email/Text: peritus@ebn.phinsolutions.com	Mar 03 2021 02:32:00	PERITUS PORTFOLIO SERVICES LLC, PO BOX 141419, Irving, Tx 75014-1419
14942746	Email/Text: Bankruptcy.Notices@pnc.com	Mar 03 2021 02:31:00	PNC Bank, N.A., 3232 Newmark Drive, Miamisburg, OH 45342
14926965	Email/PDF: PRA_BK2_CASE_UPDATE@portfoliorecovery.com	Mar 03 2021 02:39:34	Portfolio Recovery Associates, LLC, POB 12914, Norfolk VA 23541
14909034	+ Email/PDF: PRA_BK2_CASE_UPDATE@portfoliorecovery.com	Mar 03 2021 02:41:27	PRA Receivables Management, LLC, PO Box 41021, Norfolk, VA 23541-1021
14946300	+ Email/Text: bncmail@w-legal.com	Mar 03 2021 02:32:00	SYNCHRONY BANK, c/o Weinstein & Riley, PS, 2001 Western Ave., Ste 400, Seattle, WA 98121-3132
14938185	Email/PDF: EBN_AIS@AMERICANINFOSOURCE.COM	Mar 03 2021 02:37:45	Verizon, by American InfoSource as agent, PO Box 248838, Oklahoma City, OK 73124-8838

TOTAL: 23

BYPASSED RECIPIENTS

The following addresses were not sent this bankruptcy notice due to an undeliverable address, *duplicate of an address listed above, *P duplicate of a preferred address, or ## out of date forwarding orders with USPS.

Recip ID	Bypass Reason	Name and Address
cr		PNC Bank National Association
cr	*+	Duquesne Light Company, c/o Bernstein-Burkley, P.C., 707 Grant Street, Suite 2200, Gulf Tower, Pittsburgh, PA 15219-1945
cr	*+	LVNV Funding LLC, PO Box 10587, Greenville, SC 29603-0587
cr	*P++	PERITUS PORTFOLIO SERVICES, PO BOX 141419, IRVING TX 75014-1419, address filed with court:, PERITUS PORTFOLIO SERVICES LLC, PO BOX 141419, Irving, Tx 75014-1419
cr	*+	PRA Receivables Management, LLC, PO Box 41021, Norfolk, VA 23541-1021
14906484	*	Internal Revenue Service, PO Box 7346, Philadelphia, PA 19101-7346
14906490	*+	Navient, PO Box 9533, Wilkes Barre, PA 18773-9533
14906491	*+	Navient, PO Box 9533, Wilkes Barre, PA 18773-9533

TOTAL: 1 Undeliverable, 7 Duplicate, 0 Out of date forwarding address

NOTICE CERTIFICATION

I, Joseph Speetjens, declare under the penalty of perjury that I have sent the attached document to the above listed entities in the manner shown, and prepared the Certificate of Notice and that it is true and correct to the best of my information and

District/off: 0315-2

User: dric

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belief.

Meeting of Creditor Notices only (Official Form 309): Pursuant to Fed .R. Bank. P.2002(a)(1), a notice containing the complete Social Security Number (SSN) of the debtor(s) was furnished to all parties listed. This official court copy contains the redacted SSN as required by the bankruptcy rules and the Judiciary's privacy policies.

Date: Mar 04, 2021

Signature: /s/Joseph Speetjens

CM/ECF NOTICE OF ELECTRONIC FILING

The following persons/entities were sent notice through the court's CM/ECF electronic mail (Email) system on March 2, 2021 at the address(es) listed below:

Name	Email Address
Brian Nicholas	on behalf of Creditor PNC Bank National Association bnicholas@kmlawgroup.com
Kenneth M. Steinberg	on behalf of Joint Debtor Kristen H. Kinander julie.steidl@steidl-steinberg.com kenny.steinberg@steidl-steinberg.com;cgoga@steidl-steinberg.com;jbarlow@steidl-steinberg.com;leslie.nebel@steidl-steinberg.com;r53037@notify.bestcase.com;rlager@steidl-steinberg.com;kmeyers@steidl-steinberg.com
Kenneth M. Steinberg	on behalf of Debtor Marc D. Kinander julie.steidl@steidl-steinberg.com kenny.steinberg@steidl-steinberg.com;cgoga@steidl-steinberg.com;jbarlow@steidl-steinberg.com;leslie.nebel@steidl-steinberg.com;r53037@notify.bestcase.com;rlager@steidl-steinberg.com;kmeyers@steidl-steinberg.com
Keri P. Ebeck	on behalf of Creditor Duquesne Light Company kebeck@bernsteinlaw.com jbluemle@bernsteinlaw.com
Maria Miksich	on behalf of Creditor PNC Bank National Association mmiksich@kmlawgroup.com
Office of the United States Trustee	ustpreion03.pi.ecf@usdoj.gov
Ronda J. Winnecour	cmecf@chapter13trusteedwpa.com
S. James Wallace	on behalf of Creditor Peoples Natural Gas Company LLC ecfpeoples@grblaw.com PNGbankruptcy@peoples-gas.com

TOTAL: 8